

UNITED STATES OF AMERICA  
 NATIONAL TRANSPORTATION SAFETY BOARD  
 OFFICE OF ADMINISTRATIVE LAW JUDGES

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Investigation of:

MV ETHAN ALLEN,  
 LAKE GEORGE, NEW YORK,  
 OCTOBER 2, 2005

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 \* Docket No.: DCA 06 MM 001  
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Interview of: ROBERT NASON

Fort William Henry Resort and  
 Conference Center  
 Lake George, NY

Tuesday,  
 October 11, 2005

The above-captioned matter convened at 3:30 p.m.

BEFORE: MORGAN TURRELL

## APPEARANCES:

MORGAN TURRELL  
National Transportation Safety Board

SGT. WALTER SCHEDEL  
New York State Park Police

MAURICE ALDRICH  
Warren County Sheriff's

SEAN QUIRK  
Shoreline Cruises

MATTHEW QUIRK  
Shoreline Cruises

I N D E X

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I N T E R V I E W

(3:30 p.m.)

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2  
3 MR. TURRELL: Okay. It's October 11th. It's 3:30.  
4 We're at the Fort William Henry Resort Center interviewing  
5 Robert Nason in regards to the Shoreline and Ethan Allen  
6 accident. My name is Morgan Turrell of the National  
7 Transportation Safety Board. And to my left.

8 MR. M. QUIRK: Matt Quirk from Shoreline.

9 SGT. SCHEDEL: Sergeant Walt Schedel, New York State  
10 Park Police.

11 MR. ALDRICH: Investigator Mo Aldrich, Warren County  
12 Sheriff's.

13 INTERVIEW OF MR. ROBERT NASON

14 BY MR. TURRELL:

15 Q. And, Robert, if you would just go ahead and introduce  
16 yourself and spell your name.

17 A. Robert Nason, R-o-b-e-r-t N-a-s-o-n.

18 Q. And how old are you?

19 A. I'm 34.

20 Q. And what is your current occupation?

21 A. Current occupation is I'm a corrections officer for  
22 Warren County.

23 Q. And how long have you held that position?

24 A. A little over one year.

25 Q. And do you have any other additional employment?

1 A. Yes. I also work for Shoreline Cruises part-time.

2 Q. How long did you work for them?

3 A. About 12 years.

4 Q. When you say part-time, is that -- how much time and  
5 when?

6 A. Mainly during the summer, and I'm working for Orange  
7 County. I work one day a week.

8 Q. And in what capacity?

9 A. As a captain on the Horicon.

10 Q. Can you give us a professional background as to --  
11 before you started working at Shoreline what your background  
12 and then your time at Shoreline as you came up the ranks.

13 A. Sure. Actually, I first started out on Lake George  
14 at the Lake George Steamboat Company back in 1987. I started  
15 as a deck hand for two years, and into first mate, first mate  
16 for another three years, then I left there and went over to  
17 Shoreline where I started out on parasail, then moved up to the  
18 cruise boats as a deck hand, and then I already had my  
19 apprentice Master's license at the time. Then Jim Quirk put me  
20 behind the wheel training. Started on the 40-footers, the tour  
21 boats, Ethan Allen, de Champlain, Algonquin.

22 Q. Okay. So when did you get your first license as -- I  
23 guess it was a JPE, journey pilot engineer?

24 A. Was 21.

25 Q. And when did you get you Master's license?

1 A. Oh, 23.

2 Q. So you were 23 years old when you -- so about two  
3 years later?

4 A. Yes.

5 Q. Okay. So you worked for Shoreline this summer?

6 A. This summer, yes.

7 Q. And did you work on the Ethan Allen?

8 A. No, I did not. I was working one day a week just on  
9 the Horicon.

10 Q. When was the last time you worked on the Ethan Allen?

11 A. It would have been I believe the previous summer.

12 Q. So summer of 2004. How often did you work on the  
13 Ethan Allen that year?

14 A. Oh, not too often. I was mainly on the Horicon.

15 Q. Can you -- not too often like once a week maybe or --

16 A. Yeah, once a week.

17 Q. Did you work on the other tour boats at all this  
18 summer, the de Champlain or the Algonquin?

19 A. Not this summer. No, just the Horicon.

20 Q. Okay. When -- from your recollection on the Ethan  
21 Allen, can you describe how many passengers it can carry?

22 A. 50 passengers was the capacity I was made aware.

23 Q. And how many crew members?

24 A. Zero.

25 Q. That's just the operator?

1           A.    Just the operator.

2           Q.    Okay.  So when you took these passengers out, how  
3 often would these, would these 40-footers take say more than 40  
4 passengers in your recollection.  I know you're just one day a  
5 week, but in your recollection, how many times do those tour  
6 boats take out more than 40 passengers?

7           A.    Regular scheduled cruise, not too often.  Was usually  
8 very low numbers.  They were from (indiscernible) was about the  
9 average.  Usually very low numbers.  When we had bus groups,  
10 that's when the numbers went up.

11          Q.    How often would -- how often did you take a bus group  
12 out last year?  Do you recall?

13          A.    Last year I don't recall taking any bus groups out.

14          Q.    Okay.  When -- have you taken 50 passengers out?

15          A.    I've taken a full boat out, yes.

16          Q.    Can you describe any difference in maneuvering  
17 characteristics with a full boat as opposed to a --

18          A.    Reaction time from the, you know, we use the rudder  
19 to turn the vessel little slower.

20          Q.    Uh-huh.

21          A.    Stopping and maneuvering that way it really wasn't  
22 affected too bad.

23          Q.    Okay.  On the -- when you took the Ethan Allen or  
24 that class of vessel out, did you make any sort of announcement  
25 to the passengers or --

1           A.    Basic announcements.  Trying to recall my narration.

2           Q.    Your spiel?

3           A.    Yeah.  For this case, no, I don't recall ever  
4 pointing out lifejackets or how to don them.

5           Q.    Okay.  Does Shoreline Cruises have any statement  
6 procedures or written guidelines for their operators, to your  
7 knowledge?

8           A.    Not that I've read.  Just what I've been trained by  
9 other captains.

10          Q.    So word of mouth training?

11          A.    Yes.

12          Q.    Okay.

13          A.    I know on the larger vessels we have, you know, our  
14 safety bills for emergency stations, we have those procedures  
15 written right out.  In terms of basic operation of the vessel,  
16 no.

17          Q.    Why don't you go ahead and describe your -- the  
18 Horicon since you're -- that's where you've worked most.  Go  
19 ahead and describe your operation of that boat and what you do  
20 and.

21          A.    Okay.  Soon as I step on the vessel, I do a quick  
22 inspection.  I check out the engine compartment, check all the  
23 fluid levels in, in the motors, oil, antifreeze, transmission,  
24 check for any water in the bilge, check for any leaks.  Once  
25 that's done, I go up and check my crew, the crew I have, and



1 then basically get the boat ready for passengers.

2 Q. Uh-huh.

3 A. Head up for the pilothouse and go through the logs,  
4 check the logs.

5 Q. Okay.

6 A. Then we'll start boarding. I'm always on the gangway  
7 until just before we leave, help them board. During the cruise  
8 I always give my narrations, beginning, we always have crew  
9 members on board, if any questions, feel free to ask any  
10 questions. On that vessel the lifejackets are -- they can see  
11 the lifejackets. Still again, I've never -- mentioned and said  
12 lifejackets are here and how to don them.

13 Q. Okay. How long a trip does the Horicon usually take?

14 A. This past year was an hour and a half. Before that  
15 we had cruise that were two hours long or around two and a half  
16 hours.

17 Q. Okay. Do you recall on October 2nd, if you were  
18 working that day at Shoreline?

19 A. At Shoreline, no.

20 Q. Did you observe the Ethan Allen depart that morning  
21 or that afternoon?

22 A. No, I did not. Just what I saw on the, the video on  
23 television.

24 Q. Okay. How long have you known Richard Paris?

25 A. From day one. He was captain that trained me.

1 Q. Did he train you on the Ethan Allen on the 40-foot  
2 boats?

3 A. Yes, he did, and also the Defiance.

4 Q. Okay. When he trained you to operate the Ethan Allen  
5 or the -- that sister boat, did he point out what kind of --  
6 how to cert the boat and how to check the boat out?

7 A. Yes.

8 Q. Can you give us a description of how he -- the things  
9 he asked you to check?

10 A. Opening up the engine cover, doing a quick check,  
11 visual check of the bilge and the motor, then towards the back  
12 of the vessel, there's a manhole hatch. Go down the manhole  
13 hatch, crawl down and check the fluids, check the oil, check  
14 the transmission fluid.

15 Q. Okay.

16 A. When that's all checked out, usually -- if it's the  
17 first thing in the morning, you warm up the, the motor and look  
18 through -- for the different motors there are different  
19 starting procedures. Key start ones, key and button starters.

20 Q. Okay. Can you recall which the Ethan Allen is?

21 A. The Ethan Allen was push button.

22 Q. Okay. When you operated the Ethan Allen with a full,  
23 let's say over 40 passengers, did you ever have occasion to see  
24 the boat at a -- down by the head or down by the stern or  
25 perhaps any list?

1           A.    The bow may have been down a little bit.  I know on  
2 occasion when I've been on the dock (indiscernible) boat was  
3 lower in the water, but the operation myself, no, it wasn't  
4 anything noticeable.  Listing-wise, no.

5           Q.    Okay.  When, when you say that it was -- you know  
6 maybe down by the head when you observed the boat pulling away?

7           A.    That was -- approaching the dock.

8           Q.    When it was approaching the dock?

9           A.    Yes.

10          Q.    Okay.  And can you, can you perhaps just sketch on --  
11 roughly if you were looking at the boat from the side  
12 profile --

13          A.    Sure.

14          Q.    -- how much the boat would be down?

15          A.    Approximate.  From the water, from the, the green  
16 paint to the waterline.

17          Q.    Uh-huh.

18          A.    And you could definitely tell it was little lower in  
19 the water.

20          Q.    Okay.  Lower forward than aft?

21          A.    Yes.

22          Q.    Okay.  Can you just initial that and -- the 11th.  Do  
23 the Quirks have any procedures for -- or any guidance to you  
24 regarding whether to operate in heavy weather or lightning or  
25 any word of mouth --

1           A.    It's usually up to the captain's discretion.

2           Q.    Okay.

3           A.    For me personally, I usually ask the passengers what  
4 they (indiscernible). If there's major lightning, I won't go  
5 out.

6           Q.    Sure.

7           A.    Heavy, heavy winds, I'll wait until it calms down  
8 little bit.

9           Q.    Uh-huh.

10          A.    Jim Quirk usually leaves that to us and -- or he'll  
11 come down and say, hey, we're done.

12          Q.    Sure. This is -- and that's in regards to  
13 (indiscernible) and weather is kind of something really  
14 watching really carefully.

15          A.    Uh-huh.

16          Q.    Are there any guidance to you about if you see a  
17 particular engine problem who to report it to?

18          A.    Yes. Immediately to, to Jim Quirk himself.  
19 (indiscernible) for the shop, Shoreline Boat Sales and the shop  
20 over there, I would call the mechanic. I need (indiscernible)  
21 done right away.

22          Q.    Can you just give an example of the scenario playing  
23 out when you saw something that needed fixing?

24          A.    Some fuel problems such as a clogged fuel filter from  
25 bad fuel. I'll either do it myself or ask the mechanic to come

1 down and do it.

2 Q. Do you know of any problems on the Ethan Allen that  
3 were repetitive or reoccurring in nature?

4 A. Not that I'm aware of. It ran pretty good.

5 Q. And the Horicon, are you aware of any recurring or  
6 problems perhaps this summer that were fixed?

7 A. My one day a week was pretty limited, but I always  
8 look to the logs and fuel was the main problem.

9 Q. Fuel filters?

10 A. Yes.

11 Q. Uh-huh. Do you recall any major work done to the  
12 Horicon in the last -- in your experience this last year or so?  
13 Maintenance-wise.

14 A. Maintenance-wise, not that I'm aware of. I've had  
15 some work done on the pilot house roof. We had new radar and  
16 GPS installed, and the cosmetic stuff.

17 Q. Okay. And what's your experience with the New York  
18 State Park Police as far as their inspections and oversight?  
19 How many -- inspections --

20 A. Every year for quite awhile actually.

21 Q. Okay, and when was the last time you saw them down at  
22 the boats?

23 A. That was in the spring of 2004.

24 Q. Do you recall them making any -- noting any  
25 discrepancies on your boat or others?

1 A. I don't think so.

2 Q. Okay.

3 A. The only discrepancies I recall are I think on the  
4 towboats for the parasail, missing a jacket or on the tour  
5 boats and the jackets might have been -- didn't pass and needed  
6 to replace them.

7 Q. Okay. And from your personal because you have a  
8 license, have you had any dealings with the New York State Park  
9 Police or the New York State Parks and Recreation regarding  
10 your license? Any correspondence or --

11 A. No. Just get my license every year, and actually  
12 waiting to retake my recertification test.

13 Q. Okay.

14 A. Been in the (indiscernible) since last year.

15 Q. So when -- why is that? Why did you -- is there an  
16 annual or some sort of --

17 A. Every 10 years, you're supposed --

18 Q. Every 10 years? On the lake you operate the --  
19 primarily the Horicon then also once in a while the other tour  
20 boats.

21 A. Uh-huh.

22 Q. Have you noticed wakes on the lake that would cause  
23 you to adjust course or --

24 A. Yes.

25 Q. -- because of navigation difficulties? Can you

1 explain that?

2 A. The larger boats put out a pretty considerable wake,  
3 and even on the Horicon, I'll divert course and go bow into it,  
4 mainly to make it more comfortable for the passengers. They  
5 are pretty considerable. For the Mohican, which is -- it's a,  
6 it's a tall and long wave.

7 Q. Okay.

8 A. Which does cause the boat to rock pretty considerably  
9 from the side, and even if you're going bow into it, the boat  
10 will, will rock as well.

11 Q. Okay, well will it pitch or will it rock?

12 A. It will pitch, if you go straight into them. If you  
13 go side -- go against the wave it will, it will rock pretty  
14 good.

15 Q. Are you -- do you constantly maintain awareness of  
16 where the, where the Mohican is when you're operating to  
17 (indiscernible) that wave or --

18 A. I do. I'll try and adjust my course, if we're  
19 approaching each other, moving north and south, and I'll, I'll  
20 position the boat enough to get the boat basically in a good  
21 position to go head into it. There's also some good-size  
22 cruisers on the lake that put out a big wave, but nothing like  
23 the Mohican.

24 Q. I guess -- when was the last time you, you actually  
25 operated for Shoreline just prior to the accident?

1 A. It would have been --

2 Q. Which was Sunday, October 2nd.

3 A. -- August.

4 Q. August. Okay. And that was on the Horicon?

5 A. That's correct.

6 Q. Did you ever have occasion to see while you were  
7 operating last year the 40-footers any problems with water in  
8 the bilge?

9 A. If the windows are left open and heavy rain, water  
10 will get in there.

11 Q. And how much water do you, do you think got in from,  
12 from rain? Just a guess, you know. If you're going to pump  
13 out a five-gallon bucket --

14 A. Well, it could be one pail, one bucket.

15 Q. Okay. If you were to -- besides the captain, the  
16 other captain of the Horicon, which captains do you have the  
17 most contact with in the Shoreline fleet?

18 A. Oh, it would be well all of them but, Dick Paris, Jim  
19 Young, John Mason, Frank Antos.

20 Q. Okay.

21 A. Those are the captains that I talk to the most.

22 Q. Okay. And on the lake the Horicon, just give me a  
23 general description of the route that you take.

24 A. Well, past summer we had an hour and a half cruise.  
25 Would head up the east shore.



1 Q. Okay.

2 A. Go through Assembly Point down into Harris Bay a  
3 little bit, then up along Cleverdale, and as soon as I got just  
4 north of Long Island, I would head across the lake to just  
5 about the, the George Club.

6 Q. Okay.

7 A. And make my turn south.

8 Q. Okay. And you, when you operated the Ethan Allen  
9 with say 40 passengers or more than 40 passengers, did you have  
10 any experience with the boat rocking excessively where people  
11 were knocked out of their seats?

12 A. No. There's only one time, and that was on the  
13 Algonquin, and had approximately 15 passengers onboard, and  
14 kind of a strong gale come through across the lake, again going  
15 from the east shore to west shore, just to stop at Diamond  
16 Island, and the wind caught the boat and went over a little  
17 bit, but other than that, there's been no other experience.

18 Q. Do you consider those boats -- do you ever have prior  
19 knowledge of those boats being little tender at all?

20 A. Knowing what I know now through the news and  
21 everything like that, I didn't think that bad. I --

22 Q. Of course.

23 A. I could -- yes. I could stand there on the dock and  
24 put my weight on the boat and rock it pretty good, but --

25 Q. Okay.

1           A.    -- I never -- sunk over that far.

2           Q.    Okay. Did you ever have a chance to take the boat  
3 out with the Lake George Association the students at all?

4           A.    Yes.

5           Q.    Can you just describe that operation to us?

6           A.    Sure. The director would tell us where they want to  
7 go. Would either drop anchor or just drift. The students  
8 would -- we have desks that we made to fit over the seat backs,  
9 and they'll do their little test or science whatever, and with  
10 the sticky disk they would throw those over and do a test with  
11 that, the water sample test, the director would give a little  
12 spiel on the ecological history of Lake George, and as soon as  
13 all the testing was done --

14          Q.    Okay.

15          A.    -- lift anchor and back to the dock.

16          Q.    Okay. Were any provisions -- how, how many students  
17 were on the boat?

18          A.    I think they -- like 10, I think.

19          Q.    Okay. Any -- were they -- how old were they roughly?  
20 Do you recall?

21          A.    Oh, well, the group that I took out were middle  
22 school. Varied from -- I've seen elementary kids to high school  
23 kids go out.

24          Q.    Okay. Any mention of wearing life preservers for  
25 that group or are they old enough not to or --

1           A.    No mention.

2           Q.    Okay.  Now when the Ethan Allen would take out or the  
3   sister boats would take out a tour group from a charter bus.  
4   How did you find out how many persons would get onboard with  
5   that group?

6           A.    Usually from their tour director.

7           Q.    Okay.

8           A.    Would ask them how many they're going to have.

9           Q.    Okay.  Would any Shoreline employee go along on the  
10   boats when they had that many crew members on them or that many  
11   passengers on them?

12          A.    I recall that happens, yes.

13          Q.    So how often would a crew member go along, a  
14   Shoreline employee?

15          A.    I can't even begin to try and guesstimate.

16          Q.    Okay.  So the tour director would tell you how many  
17   passengers were due to come onboard, and then how would you  
18   verify that?

19          A.    As they come onboard.

20          Q.    So you would count them as they came on?

21          A.    Yes.

22          Q.    Would you space them evenly on the boat or they just  
23   do that naturally?

24          A.    Sometimes you do have to tell someone to sit on one  
25   side or the other to, to help even out the boat.

1 Q. Okay.

2 A. We have to do that on occasion too for, for smaller  
3 numbers of people who (indiscernible) one side.

4 Q. From you experience with Shoreline if you experienced  
5 a problem with a mechanical or some sort of deficiency, they  
6 act on it pretty quickly?

7 A. Oh, yes.

8 Q. Keep the boats up in pretty good working condition  
9 from your --

10 A. yeah, very good.

11 Q. -- standpoint?

12 A. Very good.

13 Q. And how do you keep track of your hours?

14 A. The log.

15 Q. Log. Okay. And I think I'll let -- if you have any,  
16 I guess something to tell us at this point?

17 A. Actually, I'm not sure.

18 Q. Okay. I've tried to give you some hints on where  
19 we're going. Maybe you'd like to tell us, anything you'd like  
20 to say?

21 A. I worked at both, both companies. I know both  
22 operating procedures. I've been on all the boats. I've been  
23 on the Mohican. For this case, I've seen what the wake can do.  
24 I've seen boats swamped, I've seen boats tipped over.

25 Q. Okay.

1           A.    Seen boats and docks damaged.  I also saw how, how  
2   each company's captains operate in terms of how they go up the  
3   lake, and basically -- how they respect the rules of the road  
4   out there.

5           Q.    Can you elaborate on that?

6           A.    From my experience at Shoreline, the captains there  
7   look out little more towards the other boaters and the other  
8   company.  I have experience with a couple of the captains,  
9   Mohican especially, that like to play games.  If you're coming  
10   down the lake and you show them your, your course, they'll  
11   still come right at you.  Then they'll -- if I present move  
12   hard to starboard showing that I'm going to go to the inside of  
13   them port-to-port, he'll shift course again go directly on to  
14   me.  Games like that.  Also there's one individual captain  
15   likes to go full (indiscernible) all the time no matter where  
16   you're going.

17          Q.    Okay.  Anything else?

18          A.    I'm not sure.

19          Q.    We'll ask some more questions.  I just thought I'd  
20   let you --

21          A.    Sure.

22                   MR. TURRELL:  Walter.

23                   BY SGT. SCHEDEL:

24          Q.    Yeah.  You just said having worked for both companies  
25   that you've seen -- and I imagine you're talking about the

1 Mohican at this point that you've seen it cause damage or its  
2 wake cause damage to boats at docks, swamp boats and --

3 A. Yes, sir.

4 Q. -- capsize boats?

5 A. Yes, sir.

6 Q. When was the most recent swamping or capsizing?

7 A. The ones that I know of was back when I probably -- I  
8 worked on the Mohican in '88 or '89 that I witnessed  
9 personally. It was a canoe up in The Narrows. And I recall  
10 another day, what year it was, I can't recall. I was working  
11 for Shoreline at the time, and it was a pretty choppy day,  
12 strong north winds, and the Mohican was going up pretty hard,  
13 and there was a small probably 18-foot Bowrider, and it got  
14 caught in its wake and swamped that boat. Bunch of people  
15 onboard.

16 Q. Did they anything to render aid?

17 A. No, sir. And numerous occasions as a crew member on  
18 the Mohican not doing anything during the cruise, off-duty, and  
19 just watching the wakes hitting the docks and smashing boats  
20 against the docks. I saw one dock rip right up.

21 Q. This captain attempts to go full forward everywhere  
22 he goes?

23 A. Uh-huh.

24 Q. Don't happen to know what his name was, would you?

25 A. Mr. Spanilka.

1 Q. What was the name?

2 A. Spanilka.

3 Q. You wouldn't know how to spell that, would you?

4 A. S-p-a-n-i-l-k-a.

5 Q. Okay. So let me see. You said you worked I think it  
6 was 12 years at Shoreline?

7 A. Yes, sir.

8 Q. And prior to this year you worked more than one day a  
9 week?

10 A. Prior to this year, yes.

11 Q. And how many, how many hours or how many days did you  
12 work?

13 A. I worked six days a week. Not all those days on the  
14 boats. I spent some days at the, the shop, and --

15 Q. And when you say shop, what do you --

16 A. The Shoreline Boat Sales.

17 Q. Sales. Okay.

18 A. Yes. Also when I worked on the boats, I was also a  
19 bartender so some days as a bartender, some days I was captain.

20 Q. Okay.

21 MR. TURRELL: Never at the same time, right?

22 MR. NASON: No.

23 UNIDENTIFIED SPEAKER: That one had you going.

24 MR. TURRELL: I'm sorry. Go ahead.

25 BY SGT. SCHEDEL:

1 Q. So in those previous 12 years, was there a period of  
2 time there where you were pretty much running the tour boats as  
3 opposed to the Horicon or --

4 A. Yes. When I was first starting.

5 Q. So when you first started you pretty much ran the  
6 tour boats for what, couple years or --

7 A. It was a couple years.

8 Q. Five years, six years?

9 A. Basically --

10 Q. Or --

11 A. -- it was two years mainly, then I started my  
12 training on the Defiance. Basically the way Jim Quirk operates  
13 is when you first become a pilot for him, you start out on the  
14 40-footers. Once he sees you're -- you know, able on those  
15 boats, he'll graduate you up to the larger vessels.

16 Q. Okay. And of the three tour boats, did you have a  
17 favorite when you were using those, one you particularly liked  
18 to use more than the others?

19 A. Yeah, the Ethan Allen.

20 Q. Why was that?

21 A. I don't know. Was just something about the boat I  
22 like.

23 Q. Handle better or ran faster?

24 A. I thought smoother and a little bit faster. You had  
25 a normal running speed around, you know, 1700 rpm's and it gave



1 you probably another 200 on top of that, if you needed to -- if  
2 you were running late or if you needed to get into shelter  
3 quick.

4 Q. So there was basically no difference in handling, it  
5 just happened to be a little smoother and faster.

6 A. Yeah, that's all.

7 SGT. SCHEDEL: That's all.

8 BY MR. TURRELL:

9 Q. Have you ever had a casualty onboard, whether it's a  
10 passenger, or casualty of the vessel at all?

11 A. Yes.

12 Q. Can you describe that?

13 A. Well, I had an injury to a passenger. It wasn't --

14 Q. It was with Lake George or --

15 A. With Shoreline.

16 Q. Shoreline, okay.

17 A. I was struck on the Defiance by a German boater and  
18 when the boat hit the bow of the Defiance on the starboard bow  
19 the passengers on the starboard side of the vessel fell back  
20 onto the passengers on the left-hand side, and one of the  
21 female passengers was pushed down (indiscernible) the chairs  
22 and hurt her shoulder.

23 Q. Do you recall that boater was cited or --

24 A. I don't. After the accident, he took off. Soon as I  
25 stabilized the situation, made sure the vessel was, was sound,

1 I asked the passengers if they wanted to go on with the cruise,  
2 and prior to that I had contacted Shoreline and contacted  
3 Marine Patrol, and told them what happened, told them where the  
4 boat was going. Continued the cruise, and while coming back to  
5 the dock, I saw where the boat was docked that hit us. The  
6 sheriff's department was waiting at the dock when we arrived.  
7 I told them where it was. They went over, and from there, I'm  
8 not too sure what, what occurred.

9 Q. Okay. Does Shoreline have any sort of procedure for  
10 their captains about passenger injuries or what to do if  
11 there's an emergency?

12 A. Yes. If there's an emergency, you contact, you know,  
13 Marine Patrol 911, tell them the situation. We have certain  
14 points where we can dock the vessel throughout the lake.

15 Q. Okay.

16 A. In case of emergency. If -- or they can have the  
17 Marine Patrol come up (indiscernible) the boat.

18 Q. Okay.

19 A. And (indiscernible) there.

20 Q. Have you had any I guess experience with the Morgan,  
21 The Sagamore's boat, observed them in operation? They have a  
22 wake at all?

23 A. They do. They generally don't run too hard. Usually  
24 only during the, the Queen's Creek boat race. They mainly  
25 operate up in the northern section of the lake up The Narrows.

1 Q. All right.

2 A. I have occasion to meet them, you know, met them up  
3 there -- the Horicon, and they're running at full speed there.

4 Q. So what kind of wake do they have in comparison to  
5 the Mohican?

6 A. Very minimal compared to the Mohican.

7 Q. Okay. Can you describe more in detail the Mohican  
8 wake for us?

9 A. Sure.

10 Q. Like the wave period, the height and so on.

11 A. I'd say the height is probably about two and three  
12 feet when they're really going. It's a long wave, probably  
13 about four foot, and probably I'd say about six, six or seven  
14 feet in between.

15 Q. How many I guess waves come off the Mohican just the  
16 first -- when you hit, is there a succession or --

17 A. There's a large long succession of waves for quite  
18 some time actually. You know the initial wake of the vessel  
19 off the bow that she (indiscernible) and then for quite awhile  
20 after that, then going (indiscernible) there's a wake there  
21 too.

22 Q. Okay. Can you from your experience, how, how long  
23 does it take in time from the time the Mohican passes you until  
24 the time you feel the wave?

25 A. Not very long at all, especially if I'm heading south

1 and how close we are too. Sometimes we're pretty close, so  
2 it's usually the time between not feeling and feeling it is  
3 very quick.

4 Q. Right.

5 A. But from offshore, 5 to 10 minutes, if you're good  
6 distance away.

7 Q. Okay. And the further you are away does that  
8 diminish the wake at all?

9 A. Not from my experience. A little bit from right next  
10 to the boat, but --

11 Q. Have you ever conducted repairs on any of the  
12 Shoreline boats you personally other than when I say minor  
13 repairs like a light bulb, have you ever conducted major  
14 mechanical repairs?

15 A. Mechanical, no. Cosmetic, yes.

16 Q. From your experience, who handles the large  
17 mechanical repairs?

18 A. Our mechanic, whoever it is at the time.

19 Q. Okay.

20 MR. TURRELL: Matt Quirk.

21 MR. M. QUIRK: Matt Quirk from Shoreline.

22 BY MR. M. QUIRK:

23 Q. Bob, in a situation where you look into the bilge and  
24 if you know it has a (indiscernible) water, what would you  
25 first do?

1           A.    I would check the packing on the, the shaft see if  
2   that was leaking.

3           Q.    And would you notify anybody else?

4           A.    Oh, yes.  Notify mechanic and then Jim.

5           Q.    And in a situation where you sense it's been dry for  
6   awhile and it might be from internal, have you experienced any  
7   problems with getting water leaks addressed in a timely manner?

8           A.    No, not at all.

9           Q.    Has that occurred in your experience of the 40-  
10   footers?

11          A.    Of them having the packing leaking?

12          Q.    Or any, any water accumulation in the bilge that you  
13   suspected was not rainwater?

14          A.    Yes.

15          Q.    And did -- were they addressed?

16          A.    Yes, they were.

17          Q.    And switching over a little bit on the subject is --  
18   have you noticed any boats out there that actually have failed  
19   to yield and they do not have right-of-way?

20          A.    On numerous occasions, lots of boats.

21          Q.    I meant, I meant tour boats.

22          A.    Yes.  Namely my experience has been with the Mohican.  
23   Like I mentioned earlier, the playing of the games out there on  
24   the, on the lake with a -- with Shoreline boats.

25          Q.    You experienced that even though he wasn't in right-

1 of-way?

2 A. Yes.

3 Q. Do you think there is any aggressive driving or  
4 powering the vessels towards other groups of vessels? I mean  
5 there's whole bunch of groups of vessels. We're talking about  
6 there's parasail vessels and then there's small vessels, then  
7 there's the wave runners. Do you think there's any group that  
8 was more aggravated by one driver or another from the Mohican?

9 A. From my own personal experience what I saw out there,  
10 I didn't see anything grossly aggressive, but there have been  
11 times when it's gotten pretty close. The tour boat company  
12 vessels coming too close to other operations on the lake.

13 Q. Other commercial operations?

14 A. Yes.

15 Q. Do you know if -- what captain was involved with the  
16 incident when it collided into (indiscernible)?

17 A. I believe it was Spanilka.

18 Q. Are you aware of any witnesses or eye account of him  
19 backing up (indiscernible) to avoid --

20 A. Not that I'm aware of.

21 Q. Did you read any of the articles about the incident  
22 in the newspaper to suggest otherwise?

23 A. I recall reading the article, yes. I don't recall  
24 exactly --

25 Q. -- mentioned that --

1           A.    Right.

2           Q.    -- he is --

3           A.    Right.

4           Q.    -- (indiscernible)?

5           A.    Right.

6                MR. M. QUIRK:  That's all I have.

7                MR. TURRELL:  Sean.

8                MR. S. QUIRK:  Nothing.

9                MR. TURRELL:  Walter.

10              SGT. SCHEDEL:  Nothing.

11              BY MR. TURRELL:

12           Q.    One more thing, Bob.  You mentioned possibly a

13 packing leak on the 40-footers?

14           A.    That's correct.

15           Q.    How often was this observed from your time on those

16 boats?

17           A.    Well, (indiscernible) observed every single day when

18 you check the boat out.  It wasn't that often that you had to

19 go down and repack the, the packing.

20           Q.    Uh-huh.

21           A.    Maybe once or twice if it's a real busy summer.

22           Q.    Okay.

23                MR. TURRELL:  Any other questions?

24                Walter?

25                SGT. SCHEDEL:  No.

1           MR. TURRELL:   Okay.   Sean?

2           Okay, if you would just acknowledge this is recorded,  
3 and I will end the interview.

4           MR. NASON:   Okay, acknowledged.

5           MR. TURRELL:   Thanks.

6           (Whereupon, the interview of Robert Nason was  
7 concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:            Investigation of MV Ethan Allen  
                                 Lake George, New York  
                                 October 2, 2005  
                                 Interview of Robert Nason

DOCKET NUMBER:            DCA 06 MM 001

PLACE:                      Lake George, New York

DATE:                      October 11, 2005

was held according to the record, and that this is the  
original, complete, true and accurate transcript which has been  
compared to the recording accomplished at the hearing.

\_\_\_\_\_  
Katherine Motley  
Transcriber